

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

RAMADA WORLDWIDE INC., formerly
known as RAMADA FRANCHISE
SYSTEMS, INC., a Delaware Corporation,

Plaintiff,

v.

PATEL & RISHI, an Illinois Partnership and
POPATLAL “PETER” PATEL and
NATUBHAI RISHI, individuals,

Defendants.

Case No. 06-cv-4027-JPG

ORDER

This matter comes before the Court on plaintiff Ramada Worldwide Inc.’s (RWI) motion for default judgment as to defendant Natubhai Rishi (Doc. 59), and RWI, Patel & Rishi, and Popatlal “Peter” Patel’s “Stipulation For Entry Of Consent Judgment And Dismissal As To Defendants Patel & Rishi And Popatlal ‘Peter’ Patel *Only*” (Doc. 71).

I. Default Judgment

Attorneys Richard Green and Kara Jones entered their respective appearances for defendant Rishi on February 21, 2006. That day, Green filed an answer on Rishi’s behalf (Doc. 8). Judge Frazier granted Rishi’s attorneys leave to withdraw on August 9, 2006; he also ordered Rishi to file a new entry of appearance, pro se or through new counsel, by August 30, 2006. (Doc. 31). Rishi failed to comply with Judge Frazier’s order and, on November 17, 2006, this Court ordered the Clerk of Court to enter default against him. (Doc. 49). The Clerk defaulted Rishi on November 17, 2006. (Doc. 50).

In its motion for default judgment, RWI requests \$208,767.30 in trebled infringement damages as a result of defendants’ willful infringement of the Ramada Marks following the termination of its License Agreement with defendants, \$60,000.00 in liquidated damages for premature termination of the License Agreement, plus interest in the amount of \$30,309.63, and \$35,323.07 in attorneys’ fees,

costs, and expenses. As the other defendants in this case had paid \$75,000.00 to RWI at the time of its motion, RWI seeks a default judgment in the amount of \$259,400.00 (\$334,400.00 less \$75,000.00), plus post-judgment interest. RWI has submitted affidavits in support of these requests and has provided Rishi the requisite notice under Federal Rule of Civil Procedure 55(b)(2) (Doc. 74).

After considering the complaint, RWI's motion and its supporting affidavits, and the record in this case, the Court finds the entry of a default judgment against Rishi appropriate. Furthermore, the Court finds that RWI's affidavits support the amounts requested in its motion and that a hearing is not necessary.

II. Consent Judgment

The Court hereby approves the consent judgment. The Court's ruling here moots the remaining pending motions in this case (Docs. 56, 61, 62).

CONCLUSION

The Court **GRANTS** RWI's motion for default judgment (Doc. 59) and orders that judgment be entered in favor RWI and against Rishi in the amount of \$259,400.00. The Court grants the parties' stipulation for entry of consent judgment (Doc.71) and orders that judgment be entered in favor of RWI and jointly and severally against defendants Patel & Rishi and Popatlal "Peter" Patel, in the amount of \$334,400.00, plus post-judgment interest in the amount of 5.10%. The remaining motions in this case (Docs. 56, 61, 62) are **MOOT**.

The Court **DIRECTS** the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED.

DATED: April 11, 2007

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE